

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff

v.

\$24,021.00 IN U.S. CURRENCY,

Defendant.

CIVIL NO. 18-

VERIFIED COMPLAINT FOR FORFEITURE IN REM

TO THE HONORABLE COURT:

COMES NOW, plaintiff, the United States of America, by and through its undersigned attorneys, Rosa Emilia Rodríguez-Vélez, United States Attorney for the District of Puerto Rico; Héctor E. Ramírez-Carbó, Assistant United States Attorney, Chief Civil Division, and Maritza González-Rivera, Assistant U.S. Attorney, brings this complaint and alleges as follows in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure.

NATURE OF THE ACTION

1. This is a civil action in rem brought to enforce the provisions of Title 21, United States Code, Sections 841(a)(1) and 881(a)(6); and Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 1957(a).

DEFENDANT IN REM

2. The defendant currency seized by an officer of the Drug Enforcement Administration (“DEA”), consists of \$24,021.00 in U.S. currency.

JURISDICTION AND VENUE

3. This Court has subject matter jurisdiction over an action commenced by the United States

pursuant to Title 28 United States Code, Section 1345; over an action for forfeiture pursuant to Title 28, United States Code, Section 1355; and over this particular action pursuant to Title 21, United States Code, Sections 841(a)(1) and 881(a)(6); and Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 1957(a).

4. This Court has in rem jurisdiction over the defendant currency pursuant to Title 28, United States Code, Section 1355(b)(1)(A) (acts and omissions giving rise to the forfeiture occurred in this district) and Section 1355(b)(1)(B) (the defendant currency is found in this district).
5. Venue is proper in this district pursuant to Title 28, United States Code, Section 1355(b)(1)(A) (acts and omissions giving rise to the forfeiture occurred in this district) and Section 1395 (the defendant currency is found in this district).

BASIS FOR FORFEITURE

6. This is a civil action in rem brought to enforce the provisions of Title 21, United States Code, Sections 841(a)(1)(Unlawful acts and 881(a)(6)(All moneys, negotiable, instruments, securities, or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance or listed chemical in violation of this subchapter, all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of this chapter), and money laundering schemes Title 18, United States Code, Sections 1956(a)(1)(B)(i) (Laundering of monetary instruments) and 1957(a) (Engaging in monetary transactions in property derived from specified unlawful activity).

FACTS

7. The facts and circumstances supporting the seizure and forfeiture of the defendant currency are contained in the Title 28, United States Code, Section 1746 unsworn declaration of the DEA, Special Agent, José Rebollo attached hereto, and incorporated herein as if fully stated.

CLAIM FOR RELIEF

WHEREFORE, the United States of America prays that a warrant of arrest for the defendant currency be issued; that due notice be given to all parties to appear and show cause why the forfeiture should not be decreed; that judgment be entered declaring the defendant currency condemned and forfeited to the United States of America for disposition according to law; and that the United States of America be granted such other and further relief as this Court may deem just and proper, together with the costs and disbursements of this action.

RESPECTFULLY SUBMITTED,

In San Juan, Puerto Rico, this 16th day of NOV., 2018.

ROSA EMILIA RODRIGUEZ-VELEZ
United States Attorney

s/Héctor E. Ramírez-Carbó
Héctor E. Ramírez-Carbó
Assistant U.S. Attorney
Chief, Civil Division
USDC-PR-NO. 214902
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San Juan, Puerto Rico 00918
Phone Number: (787)766-5656
Hector.E.Ramirez@usdoj.gov

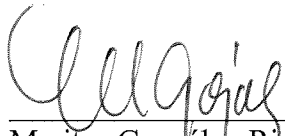
s/M. González
Maritza González-Rivera
Assistant United States Attorney
USDC-PR No. 208801
UNITED STATES ATTORNEY'S OFFICE
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Phone Number: (787) 766-5656
maritza.gonzalez@usdoj.gov

VERIFIED DECLARATION

I, Maritza González-Rivera, Assistant U.S. Attorney, for the District of Puerto Rico, declare under penalty of perjury as provided by Title 28, United States Code, Section 1746, the following:

That the foregoing Complaint is based on reports and information furnished to me by the Drug Enforcement Administration ("DEA"); that everything contained therein is true and correct to the best of my knowledge and belief.

Executed in San Juan, Puerto Rico, this 16th day of Nov., 2018.



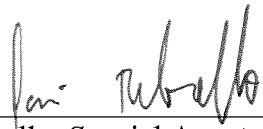
Maritza González-Rivera
Assistant U.S. Attorney

VERIFIED DECLARATION

I, José Rebollo, Special Agent, DEA declare as provided by Title 28, United States Code, Section 1746, the following:

I have read the contents of the foregoing Complaint for Forfeiture in Rem and the attached unsworn declaration thereto, and I find the same to be true and correct to the best of my knowledge and belief. I declare under penalty of perjury that the foregoing is true and correct.

Executed in San Juan, Puerto Rico, this 16 day of November, 2018.



José Rebollo, Special Agent
Drug Enforcement Administration ("DEA")

UNSWORN DECLARATION
IN SUPPORT OF FORFEITURE COMPLAINT

INTRODUCTION

Pursuant to Title 28, United States Code, Section 1746, I, Jose Rebollo, Special Agent, of the United States Department of Justice, Drug Enforcement Administration (DEA), declare under penalty of perjury that the foregoing is true and correct:

I am an investigative or law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510 (7). I am, therefore, an officer who is empowered to conduct criminal investigations of, and to make arrests for, offenses enumerated in Title 18, United States Code, Section, 2516.

I have been a Special Agent with the DEA for since April 2015. As a Special Agent, I have been sworn to enforce the laws of Title 21, United States Code, and related offenses under Title 18, United States Code. I have received sixteen weeks of training at the DEA Academy at Quantico, VA. I am currently assigned to the Caribbean Division, San Juan, Puerto Rico (Enforcement Group I).

During my law enforcement career, I have received detailed instruction in and conducted various complex investigations concerning conspiracy to import and distribute controlled substances; the laundering and concealment of drug proceeds; and the illegal use of communication facilities by drug traffickers in furtherance of their criminal activities.

PROPERTY TO BE FORFEITED

\$24,021.00 U.S. Currency

BASIS FOR FACTS CONTAINED IN THIS UNSWORN DECLARATION

I make this unsworn declaration, on information and belief derived from the following source,

- A. Oral and/or written reports and documents about this and other federal agents or officers of Puerto Rico Police Department (PRPD);
- B. and for the limited purpose of supporting the forfeiture of property under the U.S. forfeiture laws and therefore have not included every detail of the investigation in this case.

NARRATIVE OF THE EVENTS

1. On Friday June 29, 2018, plans were formulated to execute the arrest of Felix Alexis PEROCIER-Garcia, who was indicted on drug conspiracy charges in the Federal District of Puerto Rico. DEA Agents had previous intelligence confirming that PEROCIER-Garcia was residing at urbanizacion Valle San Luis, Via del Sol street #A-9 Caguas, Puerto Rico.
2. The following officers participated during PEROCIER-Garcia's arrest: Task Force Officer (TFO) Roberto Arenas and Puerto Rico Police Department (PRPD) Agents.
3. At approximately 6:00 a.m., Agents arrived to the abovementioned residence, announced their presence and identified themselves as law enforcement officers. PRPD Officers breached the patio door. Shortly thereafter, PEROCIER-Garcia was placed under arrest without any incidents.
4. At PEROCIER-Garcia's master bedroom walking closet, PRPD Agent seized, concealed inside ceiling moldings, the amount of \$24,021.00 in US Currency.

5. PEROCIER-Garcia was then transported by Agents to a pre-determined location in order to be further process and booked. On the same day, PEROCIER-Garcia had his Initial Appearance in front of Magistrate Judge Hon. Marshal D. Morgan.
6. PEROCIER-Garcia was transported to Centro Medico, Emergency Room, to be reviewed by a doctor. Two weeks before his arrest, PEROCIER-Garcia was operated of cosmetic surgery, and Bureau of Prison Officers asked for medical certification in order for PEROCIER-Garcia to be submitted in Metropolitan Detention Center. The doctor on duty certified that PEROCIER-Garcia was in good health and PEROCIER-Garcia was able to continue with the procedures.
7. PEROCIER-Garcia was transported to the Guaynabo Metropolitan Detention Center, pending judicial proceedings.
8. Felix Alexis PEROCIER-Garcia was arrested on June 29, 2018 for narcotics violations under Title 21, United States Code, Sections 841 (a)(1), 846. Felix Alexis PEROCIER-Garcia was indicted by a Grand Jury sitting in the District of Puerto Rico for his participation in the DTO in Criminal Case No. 18-413 (ADC) on June 22, 2018, as part of DEA's "Operation La Familia".
9. PEROCIER-Garcia was indicted for his role of "Drug Point Owner" within the Drug Trafficking Organization of the Barriada Figueroa in Santurce, Puerto Rico.
10. DEA Asset Forfeiture Department did a financial background on Felix Alexis PEROCIER-Garcia, and found the following: In order to corroborate the income information of Mr. Felix Alexis PEROCIER-Garcia, an administrative subpoena was issue to Puerto Rico Treasury Department (PRTD) to obtained Income

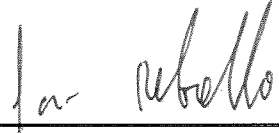
Declared for the tax period 2012 to 2017. According to the Tax Return Filed Certification for a tax period, 2008 to 2015 PEROCIER-Garcia did not file any Tax Return. Tax period of 2016 was filed on 07/27/2017 and tax period 2017 was filed on 04/24/18. The Tax Return 2017 Gross Income \$103,157.00 had operational expenses of 91,528.00 with a gain of 11,629.00. No other income was declared or informed to the PRTD in Professional Services Income (Form 480.6AorB) and salary Income (499R-2W2PR). As part of the investigation, it was found that he (PEROCIER-Garcia) register a “Golden Family Records, LLC” on September 11, 2017. This corporation according the PRTD filed the Corporation Tax Return 2017 and filed the IVU Tax Return (Sales Tax Income) with cero (“0”) taxable sales. In addition, an administrative subpoena was issued in order to obtain artist promoter and entertainment certification for the following corporations: “GOLDEN FAMILY RECORDS, INC”. and “GOLDEN FAMILY RECORDS, LLC” that appeared under the registered names of Felix A. PEROCIER-GARCIA and Tashira E. HERNANDEZ-Rosado; with an obtained negative certification as promotor for a “Colegio de Productores de Espectaculos Publicos de Puerto Rico” and the Puerto Rico Treasury Department.

This Unsworn Declaration is submitted in support of the Complaint for Forfeiture *in Rem*, which involves the offenses detailed in Section 881(a)(6) of Title 21, United States Code, particularly the all moneys, negotiable instruments, securities, or other things of value furnished or intended to be furnished by any person in exchange for controlled substance or listed chemical in violation of the subchapter, all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities

used or intended to be used to facilitate any violation of this subchapter. Therefore, I have not set forth each and every fact learned during the course of this investigation.

Based upon my training and experience, participation in other investigations, and facts concerning this investigation, I believe that sufficient probable cause exists to show that the \$24,021.00 U.S. Currency seized from Felix Alexis PEROCIER-Garcia is forfeitable as proceeds of violations of Title 21, United States Code, Sections 841(a)(1) , 881(a)(6) and money laundering, Title 18, United States Code, Sections 1956 (a) (1) (B)(i) and 1957 (a).

Sworn and signed under penalty of perjury, pursuant to Title 28, United States Code, Section 1746, in San Juan, Puerto Rico this 16th of Nov., 2018.



JOSE REBOLLO, Special Agent
Drug Enforcement Administration (DEA)

JS 44 (Rev. 11/04)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

UNITED STATES OF AMERICA

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Maritza González-Rivera, AUSA, 350 Carlos Chardón Ave, Suite
1201, Hato Rey, PR 00918

DEFENDANTS

\$24,021.00 in U.S. currency

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|---------------------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input checked="" type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district (specify) _____
☐ 6 Multidistrict Litigation
☐ 7 Appeal to District Judge from Magistrate Judgement

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing. (Do not cite jurisdictional statutes unless diversity):

Title 21, United States Code, Sections 841(a)(1) and 881(a)(6); and Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 1957(a).

VII. REQUESTED IN COMPLAINT:

UNDER F.R.C.P. 23

JURY DEMAND: ☐ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE _____

DOCKET NUMBER _____

DATE

SIGNATURE OF ATTORNEY OF RECORD

S/Maritza González-Rivera

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____


United States District Court *for the* District of Puerto Rico
CATEGORY SHEET

1. Title of Case (Name of first party on each side only)

US v. \$24,021.00 in U.S. currency

2. Category in which case belongs: (See Local Rules)

☒ X

ORDINARY CIVIL CASE
SOCIAL SECURITY
BANK CASE
INJUNCTION

CIVIL FORFEITURE

3. Title and number, if any, of related cases (See Local Rules)

4. Has a prior action between the same parties and based on the same claim ever been filed in this Court?

☐ YES

☒ X

NO

5. Is this case required to be heard and determined by a District Court of three judges pursuant to Rule 28 U.S.C. 2284?

☐ YES

☒ X

NO

6. Does this case question the constitutionality of a state statute (FRCP 24)?

☐ YES

☒ X

NO

(Please Print)

USDC ATTORNEY'S ID NO.

208801

ATTORNEY'S NAME:

MARITZA GONZALEZ RIVERA

MAILING ADDRESS:

TORRE CHARDON, SUITE 1201, 350 CARLOS CHARDON AVE

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